

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Estate of Michele M Walker,
Charles E. Walker, Administrator

Plaintiff

v.

State of New Hampshire – Administrative
Office of the Courts and State of
Hampshire – NH Second Circuit Littleton
District Court – Administrative Office of the
Courts

Defendants

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Civil Action No. 1:11-cv-421-PB

AFFIDAVIT OF EDWIN W. KELLY IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT

I, Edwin W. Kelly, declare as follows:

1. I am the Administrative Judge of the New Hampshire Circuit Court.
2. From July 1996 until the time of her death on May 3, 2010, Michele M. Walker was employed by AOC. At the time of her death, Ms. Walker was Clerk of the Littleton District Court.
3. During the relevant time period set forth in the Estate's Complaint, winter of 2007 until August 20, 2009, two other AOC employees worked in the Littleton Courthouse's Clerk's Office on a full-time basis.
4. Brenda Knapp was the Deputy Clerk of the District Court and Lisa Towle was the Deputy Clerk for the Family Division.

5. On August 13, 2009, at 1:30 p.m., Michele Walker sent an email to Pamela Kozlowski, her direct supervisor which is attached as Exhibit C to the Memorandum of Law.

6. I was copied on the email as well as Jeff Smith, AOC's Operations Manager, Michelle Brown, Family Division Clerk, and Gina Apicelli, Family Division Administrator, were copied on the email.

7. At 3:32 p.m. the same day, I received another email which is attached as Exhibit E to the Memorandum of Law.

8. In response to Ms. Walker's emails, I assigned Paula Hurley, a District Court Administrator, to travel to Littleton District Court the next day and investigate Ms. Walker's allegations.

9. Ms. Walker was informed on August 13, 2009 that the matter would be reviewed immediately.

10. Ms. Hurley conducted an investigation.

11. The result of that investigation was not shared with Ms. Walker as, on August 20, 2009, Ms. Walker left work due to illness resulting in a hospitalization and subsequent medical leave from work.

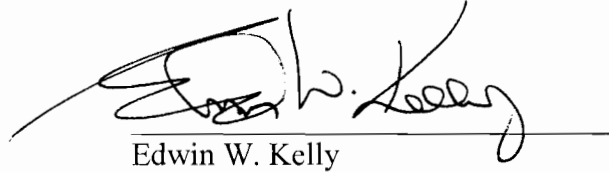
12. While out of work on medical leave, Ms. Walker sent a letter, dated November 9, 2009, to Paula Hurley which is attached as Exhibit G to the Memorandum of Law. I received a copy of that letter.

13. As a result of the letter, the AOC retained legal counsel, Julie Moore, and an out of state Human Resources individual, Christine Howe, to conduct an investigation into Ms. Walker's sexual harassment allegations.

14. The AOC received a copy of Exhibit N-U which are attached to the Memorandum of Law.

15. Charles Walker resigned from AOC effective March 5, 2008.

Dated: September 4, 2012

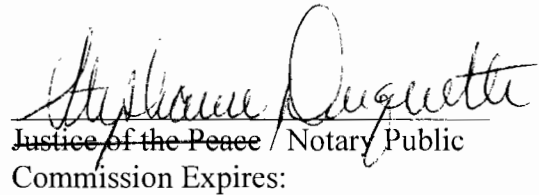


Edwin W. Kelly

STATE OF NEW HAMPSHIRE
MERRIMACK COUNTY

On this day of Sept., 2012, before me personally appeared the above-named person and acknowledged that the foregoing statements are the truth to the best of her knowledge and belief.

Dated: 9/4/12



Justice of the Peace / Notary Public
Commission Expires:

STEPHANIE DUQUETTE
Notary Public - New Hampshire
My Commission Expires October 22, 2013